

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-7411**

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ROBERT DALE SMART,

Plaintiff - Appellant,

v.

ALAN WILSON, SC Att. General; BRADFORD CRANSHAW, Attorney;  
JOHN BELTON WHITE, Attorney; SAM WHITE, Public Safety Dir.;  
DR. RAVENELL SMITH,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. G. Ross Anderson, Jr., Senior  
District Judge. (2:11-cv-02087-GRA)

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Submitted: April 19, 2012

Decided: April 24, 2012

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Before NIEMEYER, SHEDD, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert Dale Smart, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Dale Smart appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his 42 U.S.C. § 1983 (2006) complaint.\* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smart v. Wilson, No. 2:11-cv-02087-GRA (D.S.C. Oct. 11, 2011). We deny Smart's motions to amend the caption and for default judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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\* No amendment to Smart's complaint could save his action; thus, the district court's dismissal without prejudice is a final, appealable order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066 (4th Cir. 1993).